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November 3, 2022

**VIA ECF**

Honorable Georgette Castner  
U.S. District Court for the District of New Jersey  
402 East State Street  
Trenton, NJ 08608

**Re: *Zangara v. National Board of Medical Examiners***  
**(Case No. 3:22-cv-1559-GC-LGH)**

Dear Judge Castner:

We represent Defendant National Board of Medical Examiners (“NBME”) in the above-captioned matter. We write pursuant to Local Civil Rule 7.1(d)(6) to request permission to file a sur-reply in response to Plaintiff Jason Zangara’s 61-page reply brief filed on October 24, 2022.

On September 26, 2022, Mr. Zangara filed a motion asking the Court to enter a preliminary injunction relating to the manner in which NBME allegedly scores examinations that NBME develops as part of its mission to protect public health through state-of-the-art assessments that evaluate the knowledge and skills of prospective health care professionals. (See Dkt. 19). NBME filed an opposition to Mr. Zangara’s preliminary injunction motion on October 17, 2022, supported by a declaration from Carol Morrison, Ph.D., a psychometrician who works for NBME. (See Dkt. 25, 25-1). Mr. Zangara then filed a 61-page reply brief on October 24, 2022. (Dkt. 26).<sup>1</sup>

Mr. Zangara’s reply brief falsely accuses Dr. Morrison of committing perjury in her declaration, and NBME of submitting “fraudulent” documents to the Court. NBME, therefore, respectfully seeks leave to file a short sur-reply responding to the false accusations made by Mr. Zangara regarding Dr. Morrison and NBME. The proposed sur-reply is attached as an exhibit hereto.

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<sup>1</sup> Mr. Zangara filed the oversized brief without seeking leave of Court to exceed the 15-page limit for reply briefs under Local Civil Rule 7.2(b).

Honorable Georgette Castner  
November 3, 2022  
Page 2

We thank the Court for its consideration.

Respectfully submitted,

/s/ Adam R. Mandelsberg  
Adam R. Mandelsberg

cc: All parties via ECF